

**Introduced by Senator Wolk**

February 26, 2015

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An act to amend Sections 1010, 1047, 1048, and 1049 of the Military and Veterans Code, relating to veterans.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 543, as introduced, Wolk. Veterans: Veterans' Home of California.

Existing law provides for the establishment and operation of the Veterans' Home of California at various sites, including homes in Barstow, Chula Vista, Lancaster, Ventura, and Yountville, and provides for an administrator for each home or homesite. Existing law defines "home" and "administrator" for these purposes. Existing law establishes the Veteran's Home Fund in the State Treasury, which includes the proceeds of certain bonds. Existing law requires, upon appropriation of the Legislature, the Department of Veterans Affairs to use money in the fund for the purpose of designing and constructing veterans' homes in California.

This bill would clarify that veterans' homes include the Veterans' Homes of California located in Chula Vista, Fresno, Lancaster, Redding, Ventura, and West Los Angeles.

Existing law requires the administrator of a veterans' home to maintain a Morale, Welfare, and Recreation Fund, which is required to be used, at the discretion of the administrator and subject to the approval of the Secretary of Veterans Affairs, to provide for the general welfare of the veterans. Existing law specifies the moneys required to be deposited into the fund, and requires the administrator to prepare an itemized report for the expenditures made out of, and deposits made into, the fund. Under existing law, those reports are required to be submitted to

the secretary, the fiscal committees of the Assembly and Senate, the committees of the Assembly and the Senate that have subject matter jurisdiction over veterans affairs, and the Veterans' Home Allied Council on or before August 20 of each year.

This bill would state the intent of the Legislature to enact legislation to create a statewide Veterans' Home Morale, Welfare, and Recreation Fund, and to authorize the Department of Veterans Affairs to promulgate rules and regulations related to that fund through a stakeholder process that includes residents of the Veterans' Homes of California. The bill would state the Legislature's intent that those rules and regulations include, but not be limited to, a yearly budgeting process for moneys to be expended in each home. The bill would also make technical, nonsubstantive changes to the provisions described above relating to Morale, Welfare, and Recreation Funds.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. It is the intent of the Legislature to enact
- 2 legislation that accomplishes both of the following:
- 3 (a) Creates a statewide Veterans' Home Morale, Welfare, and
- 4 Recreation Fund.
- 5 (b) Authorizes the Department of Veterans Affairs to promulgate
- 6 rules and regulations related to the statewide Veterans' Home
- 7 Morale, Welfare, and Recreation Fund through a stakeholder
- 8 process that includes residents of the Veterans' Homes of
- 9 California. It is further the intent of the Legislature that these rules
- 10 and regulations include, but not be limited to, a yearly budgeting
- 11 process for moneys to be expended in each home.
- 12 SEC. 2. Section 1010 of the Military and Veterans Code is
- 13 amended to read:
- 14 1010. As used in this chapter:
- 15 (a) "Home" means the Veterans' Home of California,
- 16 ~~Yountville, and the Veterans' Home of California, Barstow.~~
- 17 *Barstow, the Veterans' Home of California, Chula Vista, the*
- 18 *Veterans' Home of California, Fresno, the Veterans' Home of*
- 19 *California, Lancaster, the Veterans' Home of California, Redding,*
- 20 *the Veterans' Home of California, Ventura, the Veterans' Home*

1 *of California, West Los Angeles, and the Veterans' Home of*  
2 *California, Yountville.*

3 (b) "Administrator" means the Administrator of the Veterans'  
4 Home of California, ~~Yountville, and the Administrator of each site~~  
5 ~~of the southern California Veterans' Home, including, but not~~  
6 ~~limited to, the Veterans' Home of California, Barstow. Barstow,~~  
7 *the Administrator of the Veterans' Home of California, Chula*  
8 *Vista, the Administrator of the Veterans' Home of California,*  
9 *Fresno, the Administrator of the Veterans' Home of California,*  
10 *Lancaster, the Administrator of the Veterans' Home of California,*  
11 *Redding, the Administrator of the Veterans' Home of California,*  
12 *Ventura, the Administrator of the Veterans' Home of California,*  
13 *West Los Angeles, and the Administrator of the Veterans' Home*  
14 *of California, Yountville.*

15 (c) "Department" means the Department of Veterans Affairs.

16 (d) "Director" means the Director of Veterans Affairs.

17 (e) "Veteran" means a member of the home.

18 SEC. 3. Section 1047 of the Military and Veterans Code is  
19 amended to read:

20 1047. (a) The administrator *at each home* shall maintain a  
21 Morale, Welfare, and Recreation Fund that shall be used, at the  
22 discretion of the administrator and subject to the approval of the  
23 secretary, to provide for the general welfare of the veterans,  
24 including, but not limited to, providing for operations of the  
25 Veterans' Home Exchange, hobby shop, motion picture theater,  
26 library, band, and any other function that is operated for the morale,  
27 welfare, and recreation of the veterans, and to pay for newspapers,  
28 chapel expenses, welfare and entertainment expenses, sport  
29 activities, celebrations, and any other activity that is for the morale,  
30 welfare, and recreation of the veterans.

31 (b) Money in the Morale, Welfare, and Recreation Fund may  
32 not be expended for any of the following:

33 (1) Medical treatments or any other related treatment.

34 (2) Maintenance of the physical plant of the home.

35 (3) Any function, operation, or activity that is not directly related  
36 to the morale, welfare, or recreation of the veterans.

37 (c) Appropriations from the General Fund for the purposes  
38 described in paragraph (3) of subdivision (b) may not be reduced  
39 for the purpose of, or to have the effect of, requiring increased

1 expenditures from the Morale, Welfare, and Recreation Fund for  
2 those described purposes.

3 (d) The administrator shall prepare an itemized report that is  
4 organized by category and accounts for all expenditures made from  
5 the Morale, Welfare, and Recreation Fund during the previous  
6 fiscal year and shall submit the report on or before August 20 of  
7 each year to all of the following:

8 (1) The secretary.

9 (2) The fiscal committees of the Assembly and the Senate.

10 (3) The committees of the Assembly and the Senate that have  
11 subject matter jurisdiction over veterans' affairs.

12 (4) The Veterans' Home Allied Council.

13 (e) The Morale, Welfare, and Recreation Fund for the Veterans'  
14 Home of California, Yountville, shall maintain a reserve in the  
15 amount of two million dollars (\$2,000,000). The reserve shall be  
16 invested in securities, upon the advice of the Morale, Welfare, and  
17 Recreation Fund Advisory Committee and with the approval of  
18 the administrator and the secretary.

19 (f) The administrator may enter into an agreement with an allied  
20 council that authorizes that council to operate facilities and  
21 activities authorized pursuant to this section. The agreement shall  
22 be in the form and manner as specified by the administrator.

23 SEC. 4. Section 1048 of the Military and Veterans Code is  
24 amended to read:

25 1048. (a) The Morale, Welfare, and Recreation Fund shall  
26 include proceeds from the California Veterans Homes Fund,  
27 operations of the Veterans' Home Exchange, revenue derived from  
28 the issuance of prisoner-of-war special license plates pursuant to  
29 Section 5101.5 of the Vehicle Code, all funds derived from golf  
30 course green fees and range ball fees, all donations to the fund,  
31 interest earned on invested funds, funds derived from the estates  
32 of deceased members, and any other moneys or property described  
33 in this chapter, including, but not limited to, moneys and properties  
34 received by the home from estate assets located outside the home,  
35 regardless of amount.

36 (b) The administrator *at each home* shall prepare an itemized  
37 report that is organized by category and accounts for all funds  
38 deposited into the Morale, Welfare, and Recreation Fund and  
39 transmitted to the Controller under Section 1047 during the

1 previous fiscal year and shall submit the report on or before August  
2 20 of each year to all of the following:

- 3 (1) The secretary.
- 4 (2) The fiscal committees of the Assembly and the Senate.
- 5 (3) The committees of the Assembly and the Senate that have  
6 subject matter jurisdiction over veterans affairs.
- 7 (4) The Veterans' Home Allied Council.

8 SEC. 5. Section 1049 of the Military and Veterans Code is  
9 amended to read:

10 1049. Moneys in the Morale, Welfare, and Recreation Fund  
11 maintained under subdivision (a) of Section 1047 may be used to  
12 establish or operate a Veterans' Home Exchange that may conduct  
13 any lawful endeavor which, in the judgment of the administrator,  
14 will benefit the veterans, except as prohibited under subdivision  
15 (b) of Section 1047. The administrator *at each home* may establish  
16 the Veterans' Home Exchange to operate at a profit.